

SEP - 4 2024

Response To Claim Objection  
United States Bankruptcy Court, District Of Oregon

FILED \_\_\_\_\_ REC'D \_\_\_\_\_  
PAID \_\_\_\_\_ DOCKETED \_\_\_\_\_

Case No. 23-62260-dwh11

In regards: Van's Aircraft, Inc (Debtor)

Claimant: Michael Strauss

Claim No. 485 (Filed: 02/12/2024), Amended Claim No. 597 (Filed: 08/24/2024)

This document is in response to Debtor's objection (filed on 08/14/2024) to Claimant's (Michael Strauss) claim for \$3,597.99. This claim is for the cost to replace laser cut parts (LCP) contained in three RV-14A kits purchased by Claimant. These kits are the; Empennage, Wings, and Fuselage. Van's Aircraft, Inc has provided some replacements for the laser cut parts, but not all. This claim is for the cost of replacement parts the Debtor did not provide. Claimant has purchased all remaining replacement parts from Van's Aircraft, Inc.

The Debtor has stated two reasons for objecting to this claim:

1. The Debtor has provided a program for replacing LCPs.
2. Claim amount is inconsistent with the Debtor's books and records.

The paragraphs below are in response to the Debtor's objections:

1. It is true that Van's Aircraft, Inc has a program for replacing LCPs, of which Claimant has participated. However, Van's Aircraft, Inc is not replacing all LCP, as promised. On July 15, 2023, Van's Aircraft, Inc sent a correspondence to claimant (correspondence attached with proof of claim (POC), Claim No. 597, Attachment 3, filed on 08/26/2024), stating:

**"Van's will replace any laser-cut parts which are dimpled by the builder during the construction process, upon request, as soon as we are able to do so based on parts availability."**

The Debtor has not fulfilled the above commitment. The Claimant has had to replace a number of LCPs (dimpled by the builder). Attachments 1 & 2 with the POC (Claim No. 597) are invoices showing the LCPs Claimant had to replace.

2. The original claim of \$3,597.99 has changed. It was based on the estimated pricing provided by the Debtor. The claim has been amended (new claim No. 597). The updated total for all LCP replaced by the Claimant is **\$2,348.43** (see Attachments 1 & 2 of Claim No. 597 for individual invoices of \$154.25 and \$2,194.18 respectively).

Date: 08/30/2024

X 

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Michael Strauss

Michael Strauss  
Claimant  
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### **Certification of Service**

I (Michael Strauss) certify that on 08/30/2024 this response to Debtor's objection, was served on Debtor's counsel, Timothy Conway, Tonkon Torp LLP, 888 SW Fifth Ave. Suite 1600, Portland, OR 97204

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Michael Strauss

Michael Strauss